ASSOCIATION AUTHORIZED BY STATUTE OF CORPORATION'S DOMICILE. — The plaintiff joined, in New York, a mutual benefit insurance association, incorporated in Canada, and licensed to do business in New York. Under the authority of a special act of the Canadian Parliament, the association, to meet a threatened deficit, levied a heavy assessment, not authorized by the policies, which was declared a lien on the policies. The plaintiff sues to have the lien set aside. *Held*, that the lien is invalid. *M'Clement* v. *Supreme Court, I. O. F.*, 88 N. Y. Misc. 475 (Sup. Ct.). On the same facts, in an action on the policy, *held*, that the lien is valid. *Stockwell* v. *Supreme Court, I. O. F.*, 216 Fed. 205 (Dist. Ct., W. D., N. Y.).

For a discussion of the extent of the control retained over a foreign corporation by the sovereign of its domicile, see NOTES, p. 797.

CONFLICT OF LAWS — TESTAMENTARY SUCCESSION — ENHANCEMENT OF TESTAMENTARY CAPACITY BY CHANGE OF DOMICILE. — A Dutch subject made her will in Holland, appointing her intended husband heir of her estate, which consisted wholly of personalty, "with reservation only of the legitimate portion or the lawful share" coming to her descendants. The marriage was then celebrated in Holland, the domicile of both parties. Later they became domiciled in England, where the testatrix predeceased her husband, leaving children also surviving. By Dutch law the "legitimate portion" of the children would have taken three-fourths of the estate, whereas the English law contained no such restriction. *Held*, that the husband is entitled to the entire estate. *In re Groos*, 9 Wkly. Notes, 100, 138 L. T. J. 409 (Ch. Div.).

A previous adjudication decided that the subsequent marriage did not revoke the will. *In the Estate of Jeanne Theodora Groos*, [1904] P. 269. See also DICEY, CONFLICT OF LAWS, 2 ed., 680, 686; Lord Kingsdown's Act, 24 & 25 VICT., c. 114. Consequently, the sole problem under consideration was to determine who was entitled. It is fundamental that a will of personalty becomes effective according to the law of the maker's domicile at death. *Moultrie* v. *Hunt*, 23 N. Y. 394; *Nat.* v. *Coons*, 10 Mo. 543; see *Dupuy* v. *Wurtz*, 53 N. Y. 556, 560. English law, therefore, determined the testatrix's capacity. Questions of construction, however, are to be settled according to the law of the domicile at the time of making. *Staigg* v. *Atkinson*, 144 Mass. 564, 12 N. E. 354. Dutch law, then, controlled this. Here the words in the circumstances under which they were used said that the husband should have all the property save that which the law required be given the testatrix's direct descendants. The Dutch law contained such a limitation on capacity. The English law, which came to govern in this respect, did not. The meaning of the words, however, continued constant; merely their legal effect was changed. Analogous situations would be the intervention between the date of the will and the testator's death of a *mortmain* statute increasing the amount of property that might be disposed of to charity, or of an enactment that devises should not carry rents partially accrued at the testator's death. *In re Bridger*, [1894] 1 Ch. 297; *Hasluck* v. *Pedley*, L. R. 19 Eq. 271.

CONSTITUTIONAL LAW — DUE PROCESS OF LAW — CARRIER REQUIRED TO PERFORM TERMINAL HAULAGE FOR ANOTHER. — An order of the Interstate Commerce Commission required a carrier having extensive terminal facilities in a city over which it performed terminal haulage for two other railroads to perform the same service for a third, to which service had previously been refused. *Held*, that the regulation is due process of law. *Pennsylvania Co.* v. *United States*, 236 U. S. 351.

For a discussion of this case and its tendency to remove any supposed constitutional barriers interfering with the enforcement of through connecting carriage, see NOTES, p. 799.